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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2227/2024 & CRL.M.A. 18910/2024**

KARAMVEER @ VEER Applicant
Through : Mr. Anup Kumar
Das, Advocate.

versus

STATE (NCT OF DELHI) Respondent
Through Mr. Ajay Vikram Singh,
APP for the State
alongwith Inspector
Kuldip Singh (P.S. Uttam
Nagar).

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER
02.07.2024

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1. The present application is filed under Section 439 read with Section 482 of the Code of Criminal Procedure, 1973 seeking interim bail for a period of 30 days in FIR No. 42/2018 dated 16.01.2018, registered at police station Uttam Nagar for offence under Section 302 of the Indian Penal Code, 1860, on the ground of making alternative arrangements for accommodation of his wife and minor daughter.
2. The learned counsel for the applicant submits that the applicant is in judicial custody since 16.01.2018.
3. He submits that the applicant was released on interim bail, first, under the HPC Guidelines, and thereafter, by the order dated 20.12.2023 passed by this Court, whereby, interim bail was granted on the ground of birth of his child.



4. He submits that the applicant has never misused the liberty.
5. He submits that all the material witnesses have already been examined and therefore, there is no question of any apprehension that the applicant will try to influence the witnesses in the event he is enlarged on interim bail.
6. He submits that after the birth of minor child in the month of December, 2023, the applicant's wife has been dispossessed from the matrimonial house by the applicant's mother since she was not happy with the birth of a daughter. He submits that at the moment the applicant's wife and minor daughter are living at the mercy of the applicant's friend.
7. He further submits that the health of the wife of the applicant is also deteriorating since she has not recovered fully after giving birth to a child.
8. The status report was filed by the State before the learned Trial Court.
9. It is not denied that on inquiry it was found that the applicant's wife and the minor child are at the moment residing with a friend at House No.12/29, Block-12, Tilak Nagar, Delhi.
10. It is also pertinent to note that nothing has been brought on record to show that false statement is made by the applicant that the wife and the mother of the applicant had a discord due to birth of a minor daughter and that his wife and minor daughter have been dispossessed.
11. In view of the above, this Court considers it apposite to direct release of applicant on interim bail for a period of two weeks in order to enable him to make financial and other arrangements for the accommodation of his wife and minor daughter.



12. Considering the aforesaid fact, the present application is allowed and the applicant is directed to be released forthwith on interim bail for a period of fifteen days on furnishing a personal bond for a sum of ₹50,000/- with one surety of the like amount subject to the satisfaction of the learned Trial Court/ Link Metropolitan Magistrate / Duty Metropolitan Magistrate on the following conditions:

- a. The applicant shall upon his release provide his mobile number to the concerned Investigating Officer, which shall be kept switched on at all times;
- b. The applicant shall upon his release provide his address to the concerned Investigating Officer, where he shall be residing during the period while on interim bail;
- c. The applicant shall not try to contact or influence any of the witnesses;
- d. The applicant shall not commit any offence during the period of his release on interim bail.
- e. The applicant shall surrender before the concerned Jail Superintendent on or before 16th day of his release.

13. The application is allowed in aforesaid terms.

AMIT MAHAJAN, J

JULY 2, 2024
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